

**CALFEE, HALTER & GRISWOLD LLP**

November 1, 2001

TO: Examiner Harry Guttman
FAX NUMBER: 703-746-5120
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CONFIRMATION
PHONE NUMBER:

FROM: Wendy A. Frick
DIRECT DIAL PHONE NUMBER: 216-622-8561

CLIENT NO.: 26046/04000

CLIENT NAME: Roger A. Marchant

NUMBER OF PAGES (including this page): 9

MESSAGE: Please see the attached.

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NOV. 1. 2001 12:11PM

CALFEE HALTER & GRISWOLD LLP

NO. 3472 P. 2/10



24024

PATENT TRADEMARK OFFICE

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Transmittal is being facsimile transmitted to (703) 746-5120 at the U.S. Patent and Trademark Office on this 1st day of November, 2001.

ATTN: Examiner Harry Guttman

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed:

Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marchant, et al.

) Examiner: Guttman, H.

Serial No.: 09/475,383

) Art Unit: 1651

Filed: April 29, 1999

For: **SURFACTANTS THAT MIMIC THE
GLYCOCALYX**

) Attorney Docket No.: 26046/04000

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF STATEMENT REGARDING SEQUENCE LISTING

Sir:

Transmitted herewith are the following:

1. Statement Regarding Sequence Listing;
2. Paper Copy of Sequence Listing;
3. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures received from the Patent Office;
4. A copy of the Postcard stamped received on May 14, 2001, by the USPTO mailroom; and
5. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date:

11/1/2001

By:

Sean T. Moorhead

Sean T. Moorhead, Reg. No. 38,564
(216) 622-8844

NOV. 1. 2001 12:12PM

CALFEE HALTER & GRISWOLD LLP

NO. 3472 P. 4/10



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Wendy A. Frick

Signed:

Wendy A. Frick

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In re application of:

Marchant, et al.

Serial No.: 09/475,383

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For: **SURFACTANTS THAT MIMIC THE
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) Examiner: Guttman, H.
)
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) Art Unit: 1651
)
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) Attorney Docket No.: 26046/04000
)

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT REGARDING SEQUENCE LISTING

Dear Sir:

In response to a telephone conference between Examiner Harry Guttman and Pamela A. Docherty, Esq. on October 31, 2001, and a telephone conference between Examiner Harry Guttman and Wendy Frick on November 1, 2001, attached hereto is a paper copy of a Sequence Listing as required by 37 C.F.R. 1.821(c), and a copy of the postcard stamped received on May 14, 2001, by the USPTO mailroom. The content of the paper copy and the computer readable copy of the Sequence Listing are the same. The sequences in the Sequence Listing are shown on page 7 and in claims 6 and 14 of the application as filed. Accordingly, the Sequence Listing adds no new matter to the application.

Respectfully submitted,

Dated: 11/1/2001

Sean T. Moorhead

Sean T. Moorhead, Reg. No. 38,564
(216) 622-8844

Notice to Comply

Application No.

09/302,195

Examiner

Harry J Guttman

Applicant(s)

MAROHART ET AL.

Art Unit

1851

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: There is no sequence listing for the sequences in claim 6 and 14 (i.e., RRKRR). Also please see 37CFR1.821(d) on the proper way to cite a sequence in the claims and specification.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

Mailed to the Patent and Trademark Office with sufficient postage, as first class mail, with sufficient postage, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on this 9th day of May, 2000.

In re Application of Marchant, et al.

Serial No.: 09/302,195

Filed: April 29, 1999

For: SURFACTANTS THAT MIMIC THE GLYCOCALYX

Our Ref. No.: 26046/04000

Please acknowledge receipt of:

- Return Receipt Postcard
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- Diskette containing Sequence Listing

PAD waf #1037.

